

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

NOLAN BALY,

Defendant.

8:20CR300

ORDER

This matter came before the court on the government's unopposed Motion to Continue Trial [78]. Counsel are awaiting for the results of a polygraph test. The undersigned magistrate judge had a telephone conference with the attorneys on June 22, 2023. After consultation with counsel, the undersigned magistrate judge finds good cause for the requested continuance. The parties were advised that no further continuance would be granted without exceptional circumstances.

IT IS ORDERED that the Motion to Continue Trial [78] granted, as follows:

1. The jury trial, now set for July 31, 2023 is continued to **October 2, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 2, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice; or would unreasonably deny the government continuity of counsel, or would deny the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(i),(iv).
3. **No further continuances will be granted.**

DATED June 27, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge